

Accordingly, Applicants believe that claims 8-9, 14 and 30-32 are no longer objectionable as indefinite under 35 USC 112, second paragraph, and reconsideration of those claims is respectfully requested.

Applicants respectfully request reconsideration of the rejection of claims 1-2, 5 and 20 under 35 USC 102(a)(e) as being anticipated by Thompson. Claim 1 has been amended so as to include specific features of the operating means for pivoting the camera mounting means. As amended, claim 1 requires that the operating means comprise a flexible cable having first and second strands that extend movably within a passageway in the shaft and are coupled to the camera mounting means, so that by pulling on the strands it is possible to cause the camera mounting means to pivot in a first direction or in a second opposite direction. It is respectfully submitted that Thompson does not show an operating means for pivoting his camera mounting means that is the same as or renders obvious the operating means now specified in claim 1. Accordingly, claim 1 is believed to be allowable over Thompson.

Claim 2 is also believed to be allowable over Thompson for the reason that it depends from amended claim 1 which is now allowable, and also because it now calls for the camera to be releasably attached to the camera mounting means by a spring clip.

Claim 5 is also believed to be patentable over Thompson since it depends from claim 1 and further requires a second support member and an actuating means for the cable means that is carried by the second support member. That combination of features is novel with Applicants.

Claim 20 has been amended to incorporate the limitations of canceled claim 21. More specifically, it now specifies that the motion translating means comprise a flexible operating cable that extends through at least one lumen in the shaft between the first and second pivots. The combination defined by

amended claim 20 is clearly not disclosed or rendered obvious by Thompson and, therefore, it is believed to be allowable.

Applicant further requests reconsideration of the rejection of claims 3-4, 9, 11, 12 and 14 under 35 USC 103(a) as unpatentable over Thompson in view of Lane, for the reasons set forth hereinafter.

Claim 3 depends from claim 1 and is patentable because that claim 1 is also patentable. Additionally, claim 3 requires that the camera cable be disposed outside of the shaft that supports the camera. That feature is not disclosed by Thompson or Lane.

Claim 4 further requires that the camera cable comprise means for transmitting light to an object viewed by the camera. Claim 4 has been amended to depend from claim 3. Therefore, it is believed that in its amended form claim 4 distinguishes patentably from Thompson in view of Lane, for the same reasons as claim 3, and also because it requires that the camera cable comprise means for transmitting light to an object viewed by the camera.

Claim 9 has been amended to depend from claim 7 which in turn has been modified by incorporating the limitations of the claims from which it formerly depended. Accordingly, claim 9 is believed to be allowable for the same reasons as claim 7.

Claim 11 depends from claim 1 and further modifies that claim by declaring that the shaft be malleable. The idea of having an endoscope with a malleable shaft is not disclosed by Thompson or Lane; nor is a malleable shaft disclosed by McCoy or any of the other references of record. Incidentally, the McCoy reference does not show an endoscope, so it is not analogous art. Furthermore, McCoy does not show a malleable shaft. Instead, the distal end 16 of his tubular member 12 incorporates several members 20 made of a temperature-activated memory alloy 20 which can assume one or the other of two different states, depending upon the temperature to which the device is subjected. Memory

alloys are not understood in the art as being malleable. Rather they are an unusual species of alloys that are known for the fact that their shapes are temperature sensitive. Memory alloys are not generally capable of being bent to a particular shape and maintaining that shape until manually bent into another shape. For these reasons claim 11 is believed to be allowable.

Claim 12 has been amended to depend from claim 11. Additionally, it specifies that the malleable shaft comprise a rod of flexible material and a malleable metal member extending lengthwise through the rod. Claim 12 clearly is not disclosed or rendered obvious by Thompson in view of Lane.

Claim 14 also depends from claim 11 and specifies that the malleable shaft comprises two helical coils, with one of the helical coils defining the internal passageway recited in claim 1. It is obvious that the combination defined by claim 14 is not disclosed or rendered obvious by Thompson or Lane. Therefore, claim 14 is believed to be allowable.

Claim 13, which was objected to by the Examiner, depends from claim 12. It has not been rewritten in independent form as suggested by the Examiner. Instead it has been amended to specify that the first and second strands of the cable recited in parent claim 1 extend through two parallel lumens in the shaft. Therefore, claim 13 is believed to be allowable since the features of that claim are not disclosed or rendered obvious by Thompson and Lane.

The rejection of claims 15-16 and 18-19 under 35 USC 103(a) as being unpatentable over Thompson and Lane, further in view of McCoy has been carefully considered. In response, claim 15 has been amended to further specify the manner of attachment of the camera mounting means to the shaft and to also identify the operating means as comprising a flexible cable means which is coupled so as to exert a pivoting force on the camera mounting means. Additionally, claim 15 requires that the shaft be manually reformable so that it may be bent to a selected shape and remain in that shape until manually

reformed to another shape. The combination of features recited by claim 15 is quite different from what is disclosed by Thompson, Lane or McCoy. Moreover, the combination defined by claim 15 is not rendered obvious by Thompson and Lane even when considered together with McCoy. Accordingly, allowance of claim 15 is believed to be in order.

Claim 16 has been amended to require that at least a portion of the motion-translating means extend within the shaft that supports the viewing device. That concept is entirely foreign to Thompson and Lane, and the McCoy reference is of no assistance in making up for the deficiencies of Thompson and Lane, for the reasons mentioned hereinabove. For this reason claim 16 is believed to be allowable.

Claim 17 depends from claim 16. Although the Examiner indicated that claim 17 related to patentable subject matter, it has not been rewritten in independent form since it is believed that claim 16 as amended distinguishes patentably from Thompson and Lane.

Claims 18 and 19 both depend from claim 16. They are allowable for the same reasons as claim 16 and also because they add other limitations.

Claim 21 has been canceled and its limitations have been added to claim 20. Therefore, since claim 21 was indicated as relating to allowable subject matter, it is believed that claim 20 is now allowable over the prior art of record.

Claims 22-39 all depend from claim 20 and are believed to be allowable for the same reasons as that claim.

Claims 30-32 have not been rejected as unpatentable over the prior art. They are believed to be patentable since claim 30 requires that the device in the form of a camera, a magnetic or radiation sensor, or transducer be movable by means of a flexible, stress-resistant operating cable that extends about first and second axle, with the loop being movable in response to rotation of the first axle capable of causing the first axle to rotation in synchronism with the second axle.

Claims 31 and 32 both depend from claim 30. They are believed to be patentable for the same reason as claim 20 and also since the concept of the cable undergoing a figure 8 routing (claim 32) and the concept of having the cable pass through at least one internal passageway in the shaft (claim 32) are both novel with Applicants.

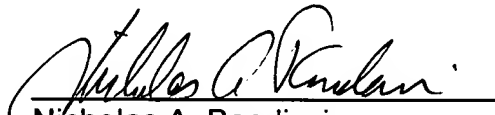
Claims 33-35 are patterned after claims 30-32 and differ therefrom only in the nature of the device which is attached to the first axle.

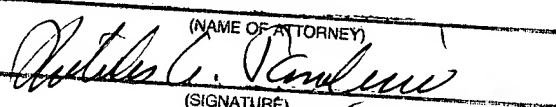
The other references cited by the Examiner have been carefully considered; however, they are not believed to be any more relevant than the Thompson, Lane and McCoy references.

The foregoing amendment is a diligent attempt to expedite and advance the prosecution of this application. It is believed to place the application in condition for allowance. Therefore, prompt and favorable reconsideration is solicited.

Respectfully submitted,

By its attorneys:


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